

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

Senate Engrossed
FILED
JANICE K. BREWER
SECRETARY OF STATE

CHAPTER 282

SENATE BILL 1134

AN ACT

AMENDING SECTION 13-1807, ARIZONA REVISED STATUTES; RELATING TO BAD CHECKS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-1807, Arizona Revised Statutes, is amended to
3 read:

4 13-1807. Issuing a bad check; violation; classification

5 A. A person commits issuing a bad check if the person issues or passes
6 a check knowing that the person does not have sufficient funds in or on
7 deposit with the bank or other drawee for the payment in full of the check as
8 well as all other checks outstanding at the time of issuance.

9 B. Any of the following is a defense to prosecution under this
10 section:

11 1. The payee or holder knows or has been expressly notified before the
12 drawing of the check or has reason to believe that the drawer did not have on
13 deposit or to the drawer's credit with the drawee sufficient funds to ensure
14 payment on its presentation.

15 2. The check is postdated and sufficient funds are on deposit with the
16 drawee on such later date for the payment in full of the check.

17 3. Insufficiency of funds results from an adjustment to the person's
18 account by the credit institution without notice to the person.

19 C. NOTHING IN THIS SECTION PROHIBITS PROSECUTION FOR ANY OTHER
20 APPLICABLE CRIMINAL OFFENSE.

21 ~~C.~~ D. EXCEPT AS PROVIDED IN SUBSECTION E OF THIS SECTION, issuing a
22 bad check is a class 1 misdemeanor.

23 E. ISSUING A BAD CHECK IN AN AMOUNT OF FIVE THOUSAND DOLLARS OR MORE
24 IS A CLASS 6 FELONY IF THE PERSON FAILS TO PAY THE FULL AMOUNT OF THE CHECK,
25 INCLUDING ACCRUED INTEREST AT THE RATE OF TWELVE PER CENT PER YEAR AND ANY
26 OTHER APPLICABLE FEES PURSUANT TO THIS CHAPTER, WITHIN SIXTY DAYS AFTER
27 RECEIVING NOTICE PURSUANT TO SECTION 13-1808.

APPROVED BY THE GOVERNOR JULY 2, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 2, 2007.